

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA**

**VS**

**CLEMENTE MELENDEZ GUTIERREZ**

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**CRIMINAL: 4:20-CR-00640**

**MOTION TO SUBSTITUTE COUNSEL**

TO THE HONORABLE ALFRED H. BENNETT, UNITED STATES DISTRICT COURT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON, DIVISION:

COMES NOW, CLEMENTE MELENDEZ GUTIERREZ, Defendant, and brings this Motion to Substitute Counsel, requesting the Court to grant permission for Uche Jerry Mgbaraho to withdraw and to substitute Francisco Fernandez as attorney of record for Defendant in this cause, and in support thereof would show:

I.

The Defendant desires to substitute FRANCISCO FERNANDEZ, 5225 Katy Freeway, Suite 605, Houston, Texas 77007, as his attorney of choice in place and instead of Uche Jerry Mgbaraho, 6220 Westpark Drive, Suite 183, Houston, Texas 77057 in the above cause.

This motion is not for the purpose of delay but in order that the record reflect Defendant's duly retained counsel of record and no injustice, prejudice, or obstruction of court procedure will be caused by the substitution.

WHEREFORE, PREMISES CONSIDERED, the Defendant prays that this Honorable Court grant this Motion and order that Francisco Fernandez be substituted for

Uche Jerry Mgbaraho, Defendant's attorney of record in the above-entitled and numbered cause.

Respectfully Submitted,

/s/ Francisco Fernandez

Francisco Fernandez  
Texas State Bar No. 24071812  
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5225 Katy Freeway, Suite 605  
Houston, Texas 77007  
(713) 249-5507  
(281) 966-1639 – Fax  
Email: francisco@ambrosiolaw.com

AGREED:

/s/ Clemente Melendez Gutierrez

Clemente Melendez Gutierrez

#### **CERTIFICATE OF CONFERENCE**

I, Francisco Fernandez, certify that on the 9<sup>th</sup> day of May 2022, Mr. Uche Jerry Mgbaraho was notified and informed about Defendant's Motion to Substitute counsel. On the 9<sup>th</sup> day of May 2022, Assistant U.S. Attorney Sebastian Alexander Edwards was notified about the Defendant's Motion to Substitute Counsel and he is unopposed.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on May 10<sup>th</sup>, 2022 I electronically submitted the foregoing document with the clerk of the court for the U.S. District Court, Southern District of Texas using the electronic case files system of the court. The electronic case files system

sent a “Notice of Electronic Filing” to individuals who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Francisco Fernandez  
Francisco Fernandez